

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILLIP NELSON BURNS, MIRJANA
PAVKOVICH, Administrator of the Estate of
Rade Pavkovich, Deceased, and Warren
Elmer Halpap,

Plaintiffs,

-against-

GRUPO MÉXICO, S.A. de C.V., a Mexican
Corporation,

Defendant.

Case No. 1:07-CV-3496(WHP)

**DECLARATION OF ALBERTO DE LA
PARRA ZAVALA IN SUPPORT OF GRUPO
MÉXICO, S.A. DE C.V.'S MOTION TO
REMAND OR, IN THE ALTERNATIVE, TO
DISMISS THE COMPLAINT FOR IMPROPER
SERVICE AND LACK OF PERSONAL
JURISDICTION**

I, Alberto de la Parra Zavala, declare as follows:

1. I am the General Counsel of Grupo México S.A. B. de C.V. (“Grupo México”), a named defendant in *Burns v. Grupo México S.A. de C.V.*, Index No.:04114728 filed in the Supreme Court of the State of New York, County of New York (the “Action”). ASARCO LLC recently attempted to remove the Action to the United States District Court for the Southern District of New York and captioned 1:07-CV-3496.

2. As General Counsel, I am responsible for knowing the contents of Grupo México’s business records pertaining to the items described herein.

3. Based on my employment as General Counsel for Grupo México, I have personal knowledge and information regarding the matters contained herein.

4. Grupo México is a corporation organized under the laws of Mexico, and its principal place of business is Mexico City, Mexico.

5. Grupo México, being a Mexican corporation, conducts its business in Spanish, the language of Mexico.

6. Grupo México is not a resident of New York or Texas, is not registered to conduct business in New York or Texas, and does not conduct business operations in New York or Texas.

7. Grupo México does not maintain a registered agent for service of process in New York or Texas.

8. Grupo México does not maintain an office or warehouse, or any other facilities in New York or Texas, nor does it have a mailing address or any telephone numbers in New York or Texas.

9. Grupo México owns no real estate in New York or Texas, and is not required to pay any real estate taxes, personal property taxes, or other taxes in New York or Texas.

10. Grupo México has no agents, sales representatives, or any employees whatsoever in New York or Texas.

11. Grupo México does no direct advertising in New York or Texas with any New York or Texas media.

12. Grupo México has never purchased, sold, provided, or received any goods at any time or in any place in New York or Texas.

13. Grupo México acquired ASARCO in 1999 under an Agreement and Plan of Merger dated October 25, 1999, whereby Grupo México acquired all of ASARCO's common stock.

The foregoing is affirmed under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746.



Lic. Alberto de la Parra Zavala
General Counsel of
Grupo México, S.A. de C.V.

Dated: June 26 ,2007